IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 27TH SEPTEMBER 2007 / 5TH ASWINA 1929

WP(C).No. 26817 of 2007(P)

PETITIONER:

JOYIMON J.,S/O.M.JOHN, AGED 33,
RESIDING AT PALATHADA VEEDU, PARITHIPETTI P.O.,
KUTTICHAL, TRIVANDRUM.

BY ADV. SRI.R.S.KALKURA
SRI.M.S.KALESH
SRI.HARISH GOPINATH
SRI.V.VINAY MENON
SRI.M.AJAY (IRUMPANAM)

RESPONDENTS:
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1. STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
GOVERNMENT OF KERALA, SECRETARIAT, TRIVANDRUM.

2. COMMISSIONER FOR ENTRANCE EXAMINATION,
O/O THE COMMISSIONER FOR ENTRANCE EXAMINATION,
TRIVANDRUM- 698 001.

3. SECRETARY, MEDICAL COUNCIL OF INDIA,
NEW DELHI.

BY ADV. SRI.ALEXANDER THOMAS, SC, FCI
GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.
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W.P.(C) NO. 26817 OF 2007
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Dated this the 27th day of September, 2007

J U D G M E N T

The prayer sought for by the petitioner is essentially to quash Ext.P6 and to give benefit of Ext.P7. Petitioner is a candidate, who belongs to SEBC category. Ext.P7 makes it clear that the benefit provided is available only to candidates belonging to SC/ST categories. Petitioner submits that as per the prospectus, these three categories that is SEBC, SC and ST are classified together and therefore the benefit of Ext.P7 cannot be confined to SC/ST alone.

2. I do not find any force in the submission. Ext.P7 reflects a concession made by the Government. When a concession is extended, the Government is entitled to classify the category entitled to such concession. If in that process, Government have taken a policy decision confining the benefit to SC/ST alone, candidates belonging to other categories contend

discrimination in the matter. The fact that these categories are classified together in the prospectus does not mean that for all purposes that classification should be adopted. Petitioner did not come within the class of candidates, for whom this benefit is provided for. Therefore, there is no case for the complaint of discrimination pleaded by him.

Writ petition fails and is dismissed.

ANTONY DOMINIC, JUDGE.

Rp